

1181-251
BGE:jmp

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re Application of)
Martin C. BARNARDO et al.) Box Missing Parts
Serial No. 09/809,029) Attention:
Filed: March 16, 2001) Applications Branch
For: METHOD)

RESPONSE TO NOTICE TO FILE MISSING PARTS

Box Missing Parts
Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

In response to a Notice to File Missing Parts of Application under 37 CFR 1.53(b) dated April 25, 2001, response copy attached, a Declaration and Power of Attorney identifying the above-referenced application by Serial Number and Filing Date is being herewith submitted. Also attached is a check in payment of the following fees:

Repln. Ref: 06/22/2001 BSAYASI1 0009534200	\$ 65.00 (surcharge under 37 C.F.R. 1.16(e))
DAH:022135 Name/Number:09809029	355.00 (basic filing fee)
FC: 704	188.00 (additional claims fee)
	<u>135.00 (multiple dependent claim fee)</u>
	\$ 743.00 TOTAL

Please charge any additional fees or credit any overpayment for the payment of the filing fee, any extra claims fees or the surcharge to deposit account number 02-2135. An additional copy of this letter is enclosed for that purpose.

The following document(s) is/are being submitted
concurrently under separate cover:

- An Information Disclosure Statement.
- The formal drawing(s).

Respectfully submitted,

By Barbara G Ernst
Barbara G. Ernst
Attorney for Applicants
Registration No. 30,377
ROTHWELL, FIGG, ERNST & MANBECK, p.c.
Suite 701-E, 555 13th Street, N.W.
Washington, D.C. 20004
Telephone: (202) 783-6040



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/809,029	03/16/2001	Martin C. Barnardo	1181-251

CONFIRMATION NO. 5589

FORMALITIES LETTER



OC000000006007669

6449
ROTHWELL, FIGG, ERNST & MANBECK, P.C.
555 13TH STREET, N.W.
SUITE 701, EAST TOWER
WASHINGTON, DC 20004

07/26/2001 SL000001 0000061 09809029

01 FC:101 710.00 OP
02 FC:102 80.00 OP
03 FC:103 198.00 OP
04 FC:104 270.00 OP
05 FC:105 31.00 OP
06 FC:106 49.00 OP

Date Mailed: 04/25/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 355 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$274.
 - \$99 for 11 total claims over 20.
 - \$40 for 1 independent claims over 3.
 - \$135 for multiple dependent claim surcharge.
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 694.

06/22/2001 BSAYAS11 00000030 09809029

01 FC:201 355.00 OP
02 FC:202 40.00 OP
03 FC:203 99.00 OP
04 FC:204 135.00 OP
05 FC:205 65.00 OP

copy of this notice **MUST** be returned with the reply.

F.T

Customer Service Center
Initial Patent Examination Division (703) 308-1202

07/27/2001 SSALLEKU 00000019 022135 09809029

01 FC:103 18.00 CR

Adjustment date: 11/27/2001 TV0111

08/01/2001 ACORAM 00000004 09809029

01 FC:107 49.00 OP

Repln. Ref: 11/27/2001 TV0111 0010591200

Date: 022135 Name/Number: 09809029

FC: 704 \$49.00 CR

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re Application of)
)
Martin C. BARNARDO, et al.)
)
Serial No. 09/809,029)
)
Filed: March 16, 2001) Group Art Unit: 1645
)
For: METHOD)

LETTER

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Enclosed herewith is a Declaration by Mrs. Tracey Heighes to be considered in conjunction with the Harmer et al. Abstract cited as reference AS in the concurrently filed IDS.

Respectfully submitted,

By Barbara G. Ernst
Barbara G. Ernst
Attorney for Applicants
Registration No. 30,377
ROTHWELL, FIGG, ERNST & MANBECK, p.c.
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Telephone: (202) 783-6040

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In re Application of)
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Martin C. BARNARDO, et al.)
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Serial No. 09/809,029)
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Filed: March 16, 2001) Group Art Unit: 1645
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For: METHOD)



SUBMISSION OF FORMAL DRAWINGS

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Attached hereto are three sheets of formal drawings to
replace the three sheets of informal drawings filed with the
subject application.

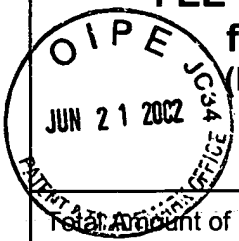
Respectfully submitted,

By Barbara G Ernst

Barbara G. Ernst
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Suite 701-E, 555 13th Street, N.W.
Washington, D.C. 20004
Telephone: (202)783-6040

Enclosure(s): Three sheets of formal drawings

**FEE TRANSMITTAL
for FY 2001
(Large Entity)**



Complete if Known

Application Number	09/809,029
Filing Date	March 16, 2001
First Named Inventor	Martin C. Barnardo
Examiner Name	Gary W. Counts
Group Art Unit	1641
Attorney Docket Number	1181-251

RECEIVED
JUL 1 2002
TECH CENTER 160002900

Total Amount of Payment (\$)**110.00**

METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge additional fees and credit any overpayment to Deposit Account Number 02-2135 in the name of Rothwell, Figg, Ernst & Manbeck
- ☒ Charge any Additional Fee Required Under 37 CFR 1.16 and 1.17
- ☐ Applicant claims small entity status
2. ☒ Payment Enclosed
- ☒ Check
- ☐ Credit Card

FEE CALCULATION

1. FILING FEE

Fee Code	Fee \$	Fee Description	Fee Paid
101	740	Utility filing fee	[]
106	330	Design Filing Fee	[]
107	510	Plant Filing Fee	[]
108	740	Reissue Filing Fee	[]
114	160	Provisional Filing Fee	[]

SUBTOTAL \$

2. CLAIMS

Total Claims	Independent Claims	Multiple Dependent Claims	Extra Claims	Fee	Fee Paid
[]	[]	[]	- 20** = [] x	\$18 = []	[]
[]	[]	[]	- 3** = [] x	84 = []	[]
[]	[]	[]	+ 280 = []		[]

**or number previously paid, if greater;

SUBTOTAL \$

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Fee Code	Fee	Fee Description	Fee Paid
105	130	Surcharge - late filing fee or oath	[]
127	50	Surcharge - late provisional filing fee or cover sheet	[]
139	130	Non-English specification	[]
147	2,520	For filing a request for reexamination	[]
112	920	Requesting publication of SIR prior to Examiner action	[]
113	1,840*	Requesting publication of SIR after Examiner action	[]
115	110	Extension for reply within first month	[110.00]
116	400	Extension for reply within second month	[]
117	920	Extension for reply within third month	[]
118	1,440	Extension for reply within fourth month	[]
128	1,960	Extension for reply within fifth month	[]
119	320	Notice of Appeal	[]
120	320	Filing a brief in support of an appeal	[]
121	280	Request for Oral Hearing	[]
138	1,510	Petition to institute a public use proceeding	[]
140	110	Petition to revive -unavoidable	[]
141	1,280	Petition to revive - unintentional	[]
142	1,280	Utility issue fee (or reissue)	[]
143	460	Design issue fee	[]
144	620	Plant issue fee	[]
122	130	Petitions to the Commissioner	[]
123	50	Processing fee under 37 CFR 1.17(q)	[]
126	180	Submission of Information Disclosure Statement	[]
581	40	Recording each patent assignment per property (times number of properties)	[]
146	740	Filing a submission after final rejection (37 CFR 1.129(a))	[]
149	740	For each additional invention to be examined (37 CFR 1.129(b))	[]
179	740	Request for Continued Examination (RCE)	[]
169	900	Request for expedited examination of a design application	[]
195	300	Publication fee for early, voluntary, or normal publication	[]
196	300	Publication fee for republication	[]
089	200	Filing application for patent term adjustment	[]
090	400	Request for reinstatement of term reduced	[]
		Other fee (specify)	[]

* Reduced by Basic Filing Fee Paid

SUBTOTAL \$

SUBMITTED BY		Complete (if applicable)	
NAME AND REG. NUMBER	Barbara G. Ernst, Reg. No. 30,377		
SIGNATURE	Barbara G. Ernst	DATE	June 20, 2002
		DEPOSIT ACCOUNT USER ID	